

Industry Member Trade Practices

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As of October 1, 2009

Overview of “Green Light Practices”

- Point of Sale advertising materials are items designed to be used within a retail establishment to attract consumer attention to products of industry members.
 - Such materials include but are not limited to :
 1. Posters
 2. Placards
 3. Designs
 4. Inside Signs
 5. Window Decorations
 6. Trays
 7. Coasters

Point of Sale Advertising Materials (continued)

- 8. Mats
- 9. Menu Cards
- 10. Meal Checks
- 11. Paper Napkins
- 12. Foam Scrapers
- 13. Back Bar Mats
- 14. Thermometers
- 15. Clocks
- 16. Calendar
- 17. Alcoholic Beverage Lists or Menus

Green Light Practices (continued)

- Consumer advertising specialties are items that are designed to be carried away by the consumer:
 - Such materials include but are not limited to:
 1. Pouring Packs
 2. Ash Trays
 3. Bottle Openers
 4. Cork Screws
 5. Matches
 6. Printed Recipes
 7. Pamphlets

Consumer Advertising Specialties (continued)

8. Cards
9. Leaflets
10. Post Cards
11. Pencils
12. Shirts
13. Cups
14. Visors

Note: All point of sale advertising materials and consumer advertising specialties must bear conspicuous and substantial advertising matter about the product. Name & address of the retailer may appear on the point of sale advertising materials.

Overview of “Yellow Light Practices”

1. Dealer Loader incentives whereby the item may end up in the retailers business or given to retail employees. Grills, small fridges, bicycles, canoes or similar items.
 - We recommend that after the promotion has ended, document the winner or if the item is returned to your premise accordingly.
2. Verbal Agreements where wholesaler in some way controls or approves retailers purchase of competitors products
Special Events: Buzzard Breath Days or similar events whereby somehow it becomes an exclusive for one wholesaler to sell his products only;

Complaints Received:

1. Event went exclusive because competitor donated money to the non-licensed committee members organizing the event.
2. Wholesaler informs committee organizing the event that if you allow competitors products at the event, then my price to you on kegs will increase.
3. Wholesale employees act as worker at the event to set up bleachers , chairs, and help run the event to obtain the exclusive.

Complaints (continued)

4. A brewer holds a contest (with wholesalers knowledge) whereby the prize goes directly to the salesperson of the wholesaler who is successful in re-placing competitors tap handles or similar links.
5. A wholesaler arranges special pricing thru a third party for bar stools, tables or the like.
6. Selection of special retailers for sales of beer where product is close to out of date code.

Red Light – Promotion Activity

1. Providing free shuttle buses or transportation for retail licensee customers for sporting events and locking in the service by promoting a certain size of beer & pricing during the event. *Example: College World Series.*
2. Making cold cash payments to the retail licensee for exclusive tap handles in volleyball court selling or other.
 - Third Party transaction also counts. Wholesaler owns another business and retailer has a side business- and cash payment flows thru those avenues of those non-licensed businesses.

Red Light – Promotion Activity (continued)

3. Providing retailer with promotional incentives such as radio advertising spots to secure an exclusive in the beer garden. This seems to occur more on the holidays where a retailer has entertainment, etc. as part of the event.
4. Retailer server incentives supported by wholesaler providing material prizes, electronic equipment, gift certificates and the like.
5. Providing retail employees uniforms, aprons or the like for free. (Selling of uniforms and aprons at wholesaler's cost is ok.)

Red Light – Promotion Activity (continued)

6. Giving glassware to retail licensees.
7. Giving concert tickets or sporting tickets to retailers.
8. Not charging key deposits to some retailers and reverse to others.
9. Special prices for certain retailer (grocery store with Class C) and not granting the offer to all Class C holders.

Red Light – Promotion Activity (continued)

10. Paying for band endorsement at retailers events.
11. Paying for security costs at retailer events.
12. Paying for Portable Restrooms at retailer events.
13. Providing special off-records keg discounts for exclusive tap handler.
14. Providing outdoor advertising for a retailer that becomes part of the real property

Red Light – Promotion Activity (continued)

15. Selling products to retailer with rights to return after sales promotion has ended. “Exception” (SDL Events)
16. Providing free draft equipment to retailer.
17. Assemble, disassemble, move or install a retailers equipment and or shelving.
18. Cleaning retailers floors.
19. Giving credit to a retailer for product that was damaged or destroyed after the sale when in the possession of the retailer.

Red Light – Promotion Activity (continued)

20. Participating in full blown retailer inventory of alcoholic beverages.
21. Placing security caps on alcoholic beverages for the retailer.
22. Providing audio & lighting for retailer events.
23. Staging costs paid for by wholesaler for retailers event.
24. Paying for tents rented, ice costs, beer costs for retailer events.

Red Light – Promotion Activity (continued)

25. Providing vacation trips to retailers employees.
26. Providing party wagons to retailers for off premise events for free.
27. Buying full page ads and then listing certain retailers and their prices. Retailer pays nothing for the ads.